

**Case No. 25-171**

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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JOHN D. HALTIGAN,

*Plaintiff-Appellant.*

v.

MICHAEL V. DRAKE; et al.,

*Defendants-Appellees,*

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*On Appeal from The United States District Court  
for the Northern District of California  
Case No. 5:23-cv-02437-EJD  
The Honorable Edward J. Davila, United States District Judge*

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**JOINT MOTION TO STAY BRIEFING DEADLINES**

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Plaintiff-Appellant and Defendants-Appellees in the above-captioned action (collectively, the “Parties”), by and through their counsel of record, jointly move to stay the briefing deadlines, ordered by the Court on March 25, 2025, pending this Court’s resolution of Plaintiff-Appellant’s Motion to Dismiss pursuant to Federal Rule of Appellate Procedure 42(b)(2), filed May 7, 2025 (Dkt. 17).

On March 21, 2025, Plaintiff-Appellant filed his Opening Brief. On March 25, 2025, Defendants-Appellees submitted a Streamlined Request for Extension of Time to File Brief. On March 25, 2025, the Court granted the Streamlined Request and issued an amended briefing schedule with the Answer Brief due May 21, 2025,

and the Optional Brief due 21 days after service of the Answering Brief. On May 7, 2025, Plaintiff-Appellant filed a Motion to Dismiss pursuant to Federal Rule of Appellate Procedure 42(b)(2). The Parties respectfully request for the briefing deadlines issued on March 25, 2025 to be stayed pending the Court's resolution of Plaintiff-Appellant's Motion to Dismiss.

Dated: May 7, 2025

Respectfully submitted,

**MUNGER, TOLLES & OLSON LLP**

*/s/ Bryan H. Heckenlively*

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*Attorneys for Defendants-Appellees*

Dated: May 7, 2025

Respectfully submitted,

**PACIFIC LEGAL FOUNDATION**

*/s/ Wilson C. Freeman*

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## **CERTIFICATE OF SERVICE FOR ELECTRONIC FILING**

I hereby certify that I electronically filed the foregoing document on May 7, 2025 with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: May 7, 2025

**MUNGER, TOLLES & OLSON LLP**

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## CERTIFICATE OF COMPLIANCE

This motion contains 160 words, including 0 words manually counted in any visual images, and excluding the items exempted by FRAP 32(f). The motion's type size and typeface comply with FRAP 32(a)(5) and (6). I certify that this brief complies with the word limit of FRAP 27(d)(2)(A).

Dated: May 7, 2025

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